

University of Oklahoma College of Law University of Oklahoma College of Law Digital Commons

American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899

2-22-1871

Resolutions of the Legislature of Kansas, in favor of the passage of an act authorizing the issue of patents for the lands allotted to children of members of the Delaware tribe of Indians, in accordance with the Treaty of March 4, 1866.

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>



Part of the [Indian and Aboriginal Law Commons](#)

Recommended Citation

S. Misc. Doc. No. 77, 41st Congress, 3rd Sess. (1871)

This Senate Miscellaneous Document is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact darinfox@ou.edu.

RESOLUTIONS

OF,

THE LEGISLATURE OF KANSAS,

IN FAVOR OF

The passage of an act authorizing the issue of patents for the lands allotted to children of members of the Delaware tribe of Indians, in accordance with the treaty of March 4, 1866.

FEBRUARY 22, 1871.—Referred to the Committee on Indian Affairs and ordered to be printed.

Whereas by the provisions of article nine of the treaty between the United States and the Delaware tribe of Indians, approved July 4, A. D. 1866, it was provided that certain of the more intelligent and prudent members of said tribe, being adults, might become citizens of the United States, and be entitled to receive patents in fee-simple, with powers of alienation for the lands allotted to them in Kansas, and their just proportion in cash or in bonds of the cash value of the credits of said tribe, principal and interest, then held in trust by the United States, and also the same may receive their proportion of the proceeds of the sale of lands under the provisions of said treaty when they should cease to be members of said tribe; and whereas it was further provided that "all the minor children of those who become citizens should be construed to have elected to sever their connection with said tribe for the time being;" and whereas many of the adult members of said tribe have so elected to become citizens of the United States, and have received patents in fee-simple for the lands allotted to them as afore-said; and whereas no provision was or has been made for the sale or disposal of the lands allotted to the children of such of the members of said tribe as elected to become citizens under said treaty, and said lands, situated in the most civilized and densely populated portion of Kansas, are not subject to taxation or disposal of any sort, or in any manner under the control of State legislation; and whereas the parents and guardians of said children, and the children themselves are desirous of paying their proportion of school and other taxes assessed in said State, and of being made equal before the law with other citizens in all respects: Therefore,

Be it resolved by the house of representatives, (the senate concurring,) That the Congress of the United States are hereby respectfully memorialized and requested to pass an act authorizing the issue of patents for the lands allotted to said children, as well as those assigned persons deceased since the date of said treaty, and empowering them or their legal representatives to receive their proportionate share of the invested funds of said tribe, to be paid to them now, so that they may in all

DELAWARE TRIBE OF INDIANS.

respects be equal before the law, and be entitled to equal school and other privileges, and their property subjected to like burdens of taxation with other citizens' children of Kansas.

2. That the secretary of state be instructed to transmit a copy of these preambles and resolutions to each of our Senators and Representative in Congress, and they are respectfully requested to use their utmost influence to procure the passage of such legislation as will secure the above object.

Adopted by the house February 11, 1871.

ALEX. R. BANKS,
Chief Clerk House of Representatives,

Concurred in by the senate February 14, 1871.

GEO. C. CROWTHER,
Secretary of Senate.

I, W. H. Smallwood, secretary of state of the State of Kansas, do hereby certify that the foregoing is a true and correct copy of the original concurrent resolutions on file in this office.

In testimony whereof I have hereunto subscribed my name and caused to be affixed the great seal of the State.

Done at Topeka this 17th day of February, A. D. 1871.

[SEAL.]

W. H. SMALLWOOD,
Secretary of State.

○